

SUBPOENA


United States District Court		DISTRICT Western District of Missouri	Size: <u>10-4-88</u> ID: <u>MD980633069</u>
UNITED STATES OF AMERICA		DOCKET NO. 89-00045-01/02-CR-W-5	Page: <u>10</u> Other: <u>88-00185-01-CR-5</u>
V. WALTER C. CAROLAN et. al.		TYPE OF CASE <input type="checkbox"/> CIVIL <input checked="" type="checkbox"/> CRIMINAL	9-7-89
		SUBPOENA FOR <input checked="" type="checkbox"/> PERSON <input type="checkbox"/> DOCUMENT(S) or OBJECT(S)	

TO: Steven Kinser
EPA Region 7
726 Minnesota Ave.
Kansas City, Kansas 66101

YOU ARE HEREBY COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above-entitled case.

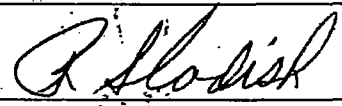
PLACE 549 United States Courthouse 811 Grand Avenue Kansas City, Missouri 64106	COURTROOM Judge Wright
	DATE AND TIME November 13, 1989 9:00 a.m.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):⁽¹⁾


40027063
SUPERFUND RECORDS

☐ See additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

U.S. MAGISTRATE(2) OR CLERK OF COURT R. F. Connor		DATE 09-07-89
(BY) DEPUTY CLERK 		
This subpoena is issued upon application of the: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> U.S. Attorney		ATTORNEY'S NAME AND ADDRESS J. DANIEL STEWART #32314 Assistant United States Attorney 549 U.S. Courthouse, 811 Grand Avenue Kansas City, Missouri 64106 Telephone: 816-426-3122

(1) If not applicable, enter "none."
(2) A subpoena shall be issued by a magistrate in a proceeding before him, but need not be under the seal of the court, (Rule 17(a), Federal Rules of Criminal Procedure.)

RETURN OF SERVICE ⁽³⁾		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (NAME)		FEES AND MILEAGE TENDERED TO WITNESS (4) <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$ _____
SERVED BY		TITLE
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER ⁽⁴⁾		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ <div style="display: flex; justify-content: space-between; width: 100%;"> <i>Date</i> <i>Signature of Server</i> </div> <div style="text-align: center; margin-top: 10px;"> <i>Address of Server</i> </div> </p>		
ADDITIONAL INFORMATION		

(4) "Fees and mileage need not be tendered to the deponent upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 U.S.C. 1825, Rule 17(b) Federal Rules of Criminal Procedure)."



U.S. Department of Justice

United States Attorney
Western District of Missouri

549 United States Courthouse
811 Grand Avenue
Kansas City, Missouri 64106

816/426-3122
FTS/867-3122

DATE: September 5, 1989

TO: ALL WITNESSES IN UNITED STATES V. CAROLAN, ET AL.,
Nos. 89-00045-01/04-CR-W-5 and 88-00185-CR-W-5

FROM: J. Daniel Stewart *[Signature]*
Assistant United States Attorney

SUBJECT: Trial subpoena for Trial Beginning November 13, 1989

We have issued a trial subpoena for you to appear and testify in United States v. Carolan, et al., a criminal case arising out of the FBI-EPA investigation into Martha C. Rose Chemicals, Inc. ("Rose Chemical"). Three defendants, Walter C. Carolan, Jr., James B. Carolan and Dwight E. Thomas, Jr., are expected to go to trial on a 43-count indictment charging them with conspiracy to defraud the United States Environmental Protection Agency (EPA), falsifying records relating to PCB disposal, improper storage of PCBs, and mail fraud for defrauding generators who sent PCBs to Rose Chemical for disposal. Two other defendants, Sharon Hayes and Christopher Gosch, are expected to plead guilty and testify as government witnesses.

The trial is scheduled to begin on Monday, November 13, 1989, and is expected to last three to four weeks. We will not need you to appear on the first day of trial but you will be needed to testify later in the trial. Since this is a criminal case, all witnesses must appear "live" in court, and we cannot use a deposition instead of testimony in person.

We will contact you to go over your testimony before you actually appear in court. As we get closer to trial, we will be able to give you a better idea of when you will be called to testify.

We realize that having to adjust your schedules to come to court may be an inconvenience to you. Nonetheless, we believe this is a very important case, and we will need your cooperation in presenting the evidence at trial.

ALL WITNESSES IN UNITED STATES V. CAROLAN, ET AL.

September 5, 1989

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After you have received your subpoena, please contact Special Agent Jane Mason of the FBI (816/221-6100), Special Agent Greg Spalding of EPA (913/236-2938), Ruben McCullers of EPA (816/426-6179) or Dan Stewart of the U. S. Attorney's Office (816/426-3122) with your day and evening telephone numbers. We will contact you to schedule your pretrial interview and your trial testimony.

Thank you for your cooperation

JDS:jm